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c. Relay all information to the responding MPs/police officers. If the situation is unknown, the MPs/police officers must be informed that the situation is unknown.

d. Check weapons registration information, if available.

e. Check local records for related offenses.

f. Additional patrol units should be dispatched as backup to the assigned unit. If a unit having one MP/police officer is dispatched, a backup unit should be assigned, unless none are available.

g. Alert or request appropriate medical assistance, if needed.

h. Contact the duty Family Service Center representative who will notify a victim advocate, if needed.

i. Notify the duty criminal investigator if injuries are reported.

j. Make proper notifications per section 7200.

### 3. MPs/Police Officers Responding General Information/ Guidelines

a. The attitude of the responding MPs/police officers is important. Reactions of the disputants will often be as a result of attitudes of indifference, aggression or concern seen in the responding MPs/police officers. A sensitive and tactful approach can create a positive environment in which the dispute is more likely to be successfully mediated.

b. MPs/police officers deal "with people when they are most threatening, most vulnerable, angry, frightened, desperate, drunk or ashamed." In short, the law enforcement role is to interact with people in crisis, and often at their worst. MPs/police officers must realize that such people may be hostile, abusive and uncooperative. Some of this hostility will frequently be directed toward MPs/police officers, who are viewed as intruders in a personal dispute.

c. The military is composed of personnel and dependents from a large variety of ethnic, racial, and cultural backgrounds. Individual backgrounds affect the way in which people understand and react to crisis situations. The maturity

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of the disputants, the number and ages of children involved, the hardship of the event, separations as a result of duty, and the family resources available can all be important factors.

MPs/police officers themselves come from numerous cultural backgrounds, entering the Marine Corps with attitudes and biases acquired through previous experiences. MPs/police officers must be aware of the potential effect these attitudes can have on their reactions to unfamiliar situations. These attitudes must be controlled to successfully establish a peaceful/professional atmosphere.

d. When responding to a domestic call, MPs/police officers must remember that each disturbance is different and must be treated individually. The disputants will read into the meanings and attitudes of the MPs/police officers through their words, facial expressions and body positions. Therefore, responding MPs/police officers need to carefully consider their opening remarks and questions. MPs/police officers should convey that they are calm, controlled, and concerned. Avoid sarcastic or critical remarks, an impolite tone of voice and threatening or aggressive body positions. The attitude the MP/police officer assumes in entering the situation can impact the attitude and cooperation returned by the disputants.

#### 4. Arrival at the Scene

a. It is important that arriving MPs/police officers are prepared prior to arrival at the scene. MPs/police officers should discuss their actions to separate the disputants and coordinate their efforts. Information from the Dispatch/Communications Center should be discussed to ensure nothing important has been missed. If possible, contact the person who reported the incident to clarify the situation and possibly get background information. Approach the scene so that the disputants are unaware that MPs/police officers are on the scene until the knock on the door. Circumstances and judgment will dictate the best method of approach.

b. In some instances, the approach of a MP/police officer is the first sign to a disputant that the PMO/MCPD has been called. Once on-scene, MPs/police officers need to ensure that an assault doesn't take place prior to their ability to defuse the incident.

c. MPs/police officers should avoid slamming car doors, having loud vehicle radios or loud talking that could give warning of the arrival of MPs/police officers.

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d. During the approach, windows and doors should be visually checked for unusual movements or objects.

e. To avoid giving warning of arriving MPs/police officers, when approaching a dwelling at night, flashlights should not be shined in windows. Additionally, only the MPs/police officers in front should use a flashlight, to avoid silhouetting the other MPs/police officers.

f. When approaching the dwelling, MPs/police officers should scan the area for signs of witnesses, toys in the yard to identify the possible involvement of children, and the fleeing of the disputants.

#### 5. Entry into a Residence

a. Before knocking, MPs/police officers should listen at the door. This could provide information about the disturbance and whether or not it is violent before announcing their presence.

b. Before knocking, screen/storm doors should be checked to see if they are locked. Locked screen/storm doors can create an unexpected barrier between the MPs/police officers and disputants, if immediate action is required.

c. After knocking, allow the occupant to open the door. MPs/police officers should avoid entering quarters when told to "Come in, the door's open". This will prevent walking into an unknown and potentially dangerous situation without having an opportunity to evaluate it.

d. If there is no response at the door and the dwelling appears quiet, the address should be verified with the Dispatch/Communications Center. If correct, the sides and rear of the quarters should be checked for indications of the presence of the occupants. Neighbors may also provide useful information.

e. MPs/police officers should display a calm, positive and helpful manner. Initial impressions will set the tone for the interview.

f. MPs/police officers should introduce themselves and state why they are there.

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g. If not invited into the dwelling, MPs/police officers should request to move the interview inside. This will enable them to:

- (1) Observe the disputants' living conditions.
- (2) Observe the location and number of disputants and any injuries requiring treatment.
- (3) Observe visible weapons and threatening moves.
- (4) Observe the physical signs of a dispute and the emotional condition of the disputants.
- (5) Remove the dispute from view of the neighbors.

h. Observation of conditions inside the quarters while obtaining background information may give the MPs/police officers ideas of contributing causes to the dispute.

i. The observable behavior of the disputants can provide important information:

- (1) Emotional signs of fear, hate, depression, and embarrassment can be detected in facial expressions, eye movements, and body positions.
- (2) MPs/police officers should be alert for sudden movements and continual glances at closets or bureaus. Such actions may be the first indication that a weapon is available.

j. The condition of clothing, (for example, cleanliness, holes, fit, etc.) and personal cleanliness may be important.

k. Once inside, MPs/police officers should separate the disputants into different rooms, if practical. MPs/police officers should remain between the disputants, in view of each other but such that the disputants cannot see each other. This will allow MPs/police officers to monitor each others safety and should prevent the sudden renewal of arguments or violence.

1. Assess the Situation

(1) Determine the seriousness of injuries and summon medical assistance, if necessary. Be alert for spouse/child abuse. Physical signs of abuse in a spouse could mean that

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child abuse is also a problem. If child abuse/neglect has occurred, follow the procedures in section 9200.

(2) Determine if a crime has been committed.

(3) Make an overall assessment of the quarters/room as appropriate.

(4) Have the victim, suspect, and/or quarters photographed if there are visible injuries/substantial damage.

(5) Collect any physical evidence.

(6) Contact the parent command to assist.

m. After calming the disputants, MPs/police officers should then obtain information on the family structure and background.

n. Questions asked of participants in a domestic disturbance should include:

(1) Names and addresses of all present, their rank, social security number and unit, if military.

(2) The relationship and legal status of the disputants: married, parent-child, boyfriend, girlfriend, etc.

(3) Length of residence in quarters and period assigned to the installation.

(4) Whether children were involved; if so, their ages and parental relationships.

(5) If MPs/police officers have intervened in a domestic dispute before, and if the disputants are receiving professional counseling.

o. Such questions will give them important background data, allow a "cooling off" period and may provide some insight into what the parties expect of the MPs/police officers.

## 6. Response for Verbal Disputes

a. The difference between violent disputes and verbal disputes is that a physical assault has not occurred. The parties involved may be easier to reason with and a mediated solution to the dispute is more likely.

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b. MPs/police officers should remove the disputants to separate rooms if possible, avoiding leaving them alone or in the kitchen. It is desirable for the MPs/police officers to remain within sight of one another at all times, if possible.

c. Separation normally causes a distraction to the disputants. If MPs/police officers use a calm, firm, and assured tone of voice, they may further distract the disputants and better control the situation. Once separated and order is restored, the parties may be interviewed.

#### 7. Response for Violent Disputes/Disturbances

a. When responding to a violent disturbance, immediately intervene to separate the disputants. MPs/police officers should concern themselves with their own safety as well as that of the disputants. In separating the persons involved, make a visual search for objects that could be used as weapons. If the disputants cannot be calmed, apprehension and removal to PMO/MCPD may be necessary. Take into custody one of the parties (or both) if there is physical evidence of assault. Very few instances of domestic violence are mutual. MPs/police officers shall make every effort to identify the primary aggressor in every instance. If injuries are present, notify the Dispatch/Communications Center and render aid, if needed.

b. In disputes, it has been found that participants may view MPs/police officers as protectors. Feeling protected, one or both of the disputants may insult, strike, or otherwise provoke the other.

c. A potential danger exists in persons who are unusually quiet and controlled in highly emotional disputes. Such people may be near the breaking point and may become unexpectedly violent by even an innocent gesture or remark.

d. If the parties can be separated, they should be removed out of sight and hearing of each other. In separating the parties, the disputants should never be allowed to come between MPs/police officers, should never be left alone in another room, and should not be removed to the kitchen because of the availability of potential weapons. It is desirable for MPs/police officers to remain within sight of one another at all times, if possible. Once separated, order is restored, and necessary first aid is given, the parties may be interviewed.

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e. MPs/police officers are often attacked by one partner when they use force against the other disputant; therefore, if some physical force is necessary against one person in the dispute, be alert for a possible attack by the other disputant(s).

#### 8. Handling Children

a. In disputes where one disputant is a child or young adult, there may be a feeling of resentment against the authority of older persons. MPs/police officers, as authority figures, may be assumed to automatically side with the parents. Therefore, when answering such a disturbance call, MPs/police officers should show an attitude of concern and understanding of the child's statement. The youth's feelings, problems, and thoughts should be listened to and evaluated as carefully as those of the parents or other disputants.

b. If children are present, but not involved in the dispute, the parents should be asked to remove them from the room.

c. If children are present, at least one parent will be left at the quarters during processing. Removing one violent parent from a domestic incident will usually eliminate the violent behavior from the remaining parent. In cases where the remaining parent continues to be violent after his/her spouse has been removed, or if there is alcohol involved with the remaining parent, protection of the child must be addressed. Nearby family members or close family friends may temporarily care for the children. If a military member is involved, the parent command may assist in this situation. If there are no family members or friends present, the children could be sent to Child Protective Services.

#### 9. Alcohol Involvement

a. Alcohol is involved to some extent in many domestic disturbances. If one of the disputants is drunk, MPs/police officers will have a difficult time obtaining factual information from that person. They will have to rely on the more sober disputant for information.

b. Heavy drinkers often seek sympathy through self-persecution. They often blame themselves for their family problems and express self-hate. Drinkers might also dismiss their drinking problem as their only means to cope with life.

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These and other defense mechanisms will likely hinder mediation of the problem.

c. MPs/police officers must be objective and fair in dealing with persons under the influence of alcohol without giving them sympathy. They should be viewed as persons who have lost self-control, and, as such, may not respond to reasoning and a mediated solution. In such cases, take a firm stance, advising that apprehensions could result. There is little law enforcement can do to solve alcohol problems. All incidents involving the irresponsible use of alcohol should be referred to the unit Substance Abuse Control Officer (SACO) or SACC.

d. The individual who is sober or least intoxicated may omit facts and present data that will discredit the other disputant. Be aware of this and carefully evaluate the reliability of all information received. If this person is really concerned about the other disputant's drinking problem, they may supply helpful data.

10. MPs/police officers should not conduct interviews until the disputants have been separated, seated, and have furnished basic background information. During the interview, MPs/police officers may be seated to further relax the disputants. MPs/police officers shall ask the suspect(s) and victim(s) if they desire to speak to a counselor/advocate. If yes, contact the Duty Chaplain or the Family Service Center Victim Advocate. If there has been violence, MPs/police officers shall contact the Family Service Center Victim Advocate.

#### 11. Causes of Family Crisis

a. There can be many causes, real or imagined, for disputes: influence of others outside the family such as in-laws or family friends; family or individual finances; alcohol use; sexual difficulties; extra-marital affairs; property damage; pending divorce or separation; physical or sexual abuse of children; illicit drug use; discipline of children; and many others.

b. MPs/police officers approaching a domestic disturbance should watch and listen intently, and then handle the situation as calmly and professionally as possible.

12. Alternatives. After the disputants have been separated and interviewed, a decision must be made as to which alternative



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will work best. MPs/police officers should call a victim advocate.

a. Referral. MPs/police officers should know the social agencies available on the installation and within the local community. In many cases, the parties have problems that can only be solved by professional counseling. If they realize this, they may ask for information regarding a social agency. MPs/police officers should be prepared to answer such requests. A listing of local agencies, addresses, points of contact, telephone numbers, operating hours and services offered will be maintained. The installation Family Service Center can assist MPs/police officers in obtaining and updating this vital information. Often, there are discrepancies between installation policy or guidelines and area civil law or regulation. Personnel should be familiar with these jurisdictional differences and contingency plans must be available.

b. Apprehension. If MPs/police officers cannot restore order, a crime has been committed, violence has occurred or they believe based upon the existing circumstances that violence will occur, an apprehension is required. In lieu of apprehension to prevent violence, the parent command may elect to confine the military member to the barracks or other on-base facility.

c. Separation. Sometimes there is a choice other than apprehension for resolving the issue. Either party could volunteer to temporarily leave the quarters. If either party agrees to leave, the MP/police officer should remain in the quarters until the individual has departed.

### 13. Final Actions for MPs/Police Officers on Scene

a. Provide victims and witnesses with DD Form 2701, Initial Information for Victims and Witnesses of Crimes. If there is a sexual assault, have the victim complete the Victim Preference Statement (see figure 9-1, page 9-18) if CID, NCIS, or the Investigations Branch has not assumed the investigation.

b. Before departing the residence, MPs/police officers should restate the points of agreement to be sure they are understood by both parties. MPs/police officers should also explain any applicable installation policies and regulations to include that all cases of domestic violence are forwarded to a Case Review Committee (CRC) that has the responsibility to make recommendations on available options to the commanding officer.

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When leaving, they should be polite and close the door behind them.

c. In cases resulting in apprehension of the military sponsor, the command may issue a military protection order requiring the military member to stay away from their quarters/family for the safety of the spouse/children.

14. The Watch Commander shall:

a. Respond to all reported family disturbances, unless engaged in a more serious incident.

b. Determine whether an apprehension should be made.

c. Recommend to the military member's unit commander that the military member remains at a barracks for 24 hours or at least overnight, and issuance of a military protection order when appropriate.

d. Ensure notifications per section 7200 are made.

e. Ensure victims and witnesses are provided with DD Form 2701, Initial Information for Victims and Witnesses of Crimes. If there is a sexual assault, ensure the victim completes the Victim Preference Statement (see figure 9-1, page 9-18).

f. Ensure all MPs/police officers in their watch comply with this section.

**VICTIM PREFERENCE STATEMENT**

I, \_\_\_\_\_, have been informed of my rights as a crime victim under the Victim and Witness Assistance Program and have been provided a copy of DD Form 2701, Initial Information for Victims and Witnesses of Crime. \_\_\_\_\_  
(initials)

I have had the opportunity to consult with a victim advocate, counselor, or other person(s) of my choosing before making the following decision. \_\_\_\_\_  
(initials)

At this time, I have decided to not report that I am a victim of sexual assault to my command, law enforcement personnel, or other military authorities. I understand that by not reporting this offense, there will be no investigation. \_\_\_\_\_  
(initials)

Further, I have been informed that by not reporting this offense the full range of protections afforded to victims, including the issuance of a military protective order against the offender, may not be made available. \_\_\_\_\_  
(initials)

Finally, I further understand that I may change my mind and report this offense at a later time. If I do report this offense at a later time, I understand that the delay may adversely affect the subsequent investigation and prosecution of the offender. \_\_\_\_\_  
(initials)

\_\_\_\_\_  
Victim's signature and date

Witnessed by:

\_\_\_\_\_

\_\_\_\_\_  
Title of witness and date

Figure 9-1.--Victim Preference Statement

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Section 9200 - Patrol Officer's Response Procedures  
(Child Abuse/Neglect)

9201. Purpose. This section provides MPs/police officers with response procedures for child abuse and neglect incidents.

9202. Policy

1. Child abuse and child neglect have traditionally been regarded as the principle responsibility of child protective services and social welfare agencies. However, research has demonstrated that a large percentage of repeat offenses, many of which involve serious injury or death, involve known offenders.

2. Effective response to child maltreatment requires cooperative and coordinated efforts between social welfare and law enforcement agencies. Furthermore, under certain circumstances, arrest/apprehension and criminal prosecution is preferred from a preventive standpoint. Therefore, all reports of child abuse and neglect shall be thoroughly investigated to ensure appropriate action can be taken through references (c) and (d), and federal and state law.

3. To facilitate investigation and prosecution, the law requires instances or suspected instances of child abuse or neglect be reported by public and private officials, such as physicians, dentists, school employees, clergymen and others.

9203. Definitions

1. Child Abuse and/or Neglect. Includes physical injury, sexual maltreatment, emotional maltreatment, deprivation of necessities, or any treatment harms or threatens a child's welfare. The term encompasses both acts and omissions on the part of a responsible person. The "child" is a person under 18 years of age for whom a parent, guardian, foster parent, caretaker, employee of a residential facility, or any staff person providing out-of-home care is legally responsible. The term "child" means a natural child, adopted child, stepchild, foster child, or ward. The term also includes an individual of any age who is incapable of self-support because of a mental or physical impairment and for whom treatment in a Medical Treatment Facility (MTF) is authorized.

a. Physical abuse is an injury to a child that is not the result of an accident, e.g. unexplained burns, fractures, abdominal injuries.

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b. Physical neglect is the failure to provide the necessities of life for a child, e.g. lack of medical care, inappropriate clothing, or unsanitary living conditions.

c. Sexual abuse is the sexual exploitation of a child for any reason, to include the sexual gratification of an adult, to inflict pain, or to control (for example, rape, incest, fondling).

#### 9204. Procedures

1. Reporting/Initial Complaint Response. MPs/police officers shall record and respond to all reports of child abuse, neglect and abandonment, irrespective of the source or method of reporting.

a. Upon receiving a report of suspected child abuse/neglect, the Dispatch/Communications Center shall:

(1) Obtain an address/location of the victim, dispatch a patrol unit, and if necessary, request an ambulance. If the victim is located at an off-base medical facility or other location and a determination is made that PMO/MCPD has jurisdiction, contact the duty criminal investigator. If the victim is located at a school or any child development center (to include home day care facilities), only a criminal investigator will initially respond.

(2) Obtain the identity of suspect(s) and their location.

(3) Obtain the name and address of the complainant, victim, and parents or other person(s) responsible for the child's care.

(4) Conduct a National Crime Information Center (NCIC)/DONCJIS computer inquiry on the complainant, victim, sponsor, and suspect(s); and relay the information to the responding MP/police officer or criminal investigator.

(5) Dispatch the Watch Commander to all child abuse/neglect incidents.

(6) Immediately notify the duty criminal investigator of all child abuse/neglect incidents.

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(7) Notify the duty photographer, when requested by the duty criminal investigator.

(8) Notify the Family Service Center (FSC). Leave a message if answering machine is turned on.

(9) Make appropriate notifications per section 7200.

(10) Upon realizing the initial investigation may require more than two hours, make a preliminary notification giving only known, verified information. Coordinate notification with the CID or Investigations Branch duty criminal investigator.

b. The responding MP/police officer shall:

(1) Contact the victim's parents and, if the alleged suspect is a parent, attempt to identify who is the non-offending parent. Once the victim has been identified, conduct a visual examination. Do not disrobe the victim to conduct the examination. The MP will look for signs of abuse/neglect, such as bruises, unusual marks on face and body, shape or pattern of trauma, burns, abnormally dirty child, and a dirty house.

(2) Determine the date and time the incident occurred.

(3) Determine the child's birth date or age.

(4) Determine the names and ages of individuals who live with the child and their relationship.

(5) Obtain any other information helpful in determining the cause of abuse or neglect and whether or not there is a family member who can protect the victim.

(6) Wait for the duty CID or Investigations Branch criminal investigator and/or NCIS.

c. If CID, NCIS, or Investigations Branch is unavailable, MPs/police officers shall:

(1) Conduct a preliminary interview with the reporting individual, when known, to determine the basis for the report, to include determination of such factors as:

(a) The physical condition of the child.

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(b) Description of the abusive or neglectful behavior.

(c) Evidence of parental disabilities such as alcoholism, drug abuse, mental illness or other factors that demonstrate or suggest an inability to care for the child.

(d) Description of suspicious injuries or conditions.

(e) Nature of any statements made by the child concerning abuse or maltreatment.

(f) Any evidence of parental indifference or inattention to the child's physical or emotional needs.

(2) Contact the reported victim and parents.

(a) If there is reason to believe that the victim has been abused or neglected, and the abuse or neglect occurred within the family, child protective services will be notified.

(b) Determine whether or not to transport the victim to a medical facility for further evaluation based on the psychological and physical appearance of the child and the potential for uncovering injuries and/or evidence.

(c) If the child requires further examination, request the non-offending parent to transport the child to the nearest medical facility for a medical evaluation by a physician. The parent will transport the child with a police escort if the victim is ambulatory, the parents are not intoxicated, leaving the child with the parents will not cause more physical or psychological damage, and the parent can be trusted not to dissuade the child from revealing injuries to protect the other parent. MPs/police officers may only transport as a last resort. Removal of a child from his/her parents is only used as a last resort. If this is necessary, follow procedures to remove a child from the custody of his/her parents identified in paragraph IV.C below. If the parents do not consent to a medical examination of the child, and the child is not in imminent danger (i.e. injured or there is a reasonable possibility of injury by the parents or guardian), CID, Investigations Branch, or NCIS will be notified. If the child is in imminent danger, MPs/police officers are authorized to transport the child to a medical facility for an examination. A

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medical officer will render an opinion as to whether the child has been a victim of child abuse/neglect.

(d) In cases where injuries are present and in all cases of suspected child sex abuse, NCIS shall be notified.

(e) Once a medical officer renders an opinion that the child has been abused/neglected, the Dispatch/Communications Center will contact the duty photographer. Enclose a copy of the emergency care and treatment form and all photographs and negatives with the report.

(3) Complete an IR and all required documentation.

(4) When the source of the report cannot be identified, MPs/police officers shall follow procedures in paragraph 9204.1(b) above. If the reported abuse appears unfounded, ensure a Desk Journal entry is made and CID or Investigations Branch is notified.

2. The Watch Commander will respond to all reported child abuse/neglect incidents, and closely supervise the investigation until assumed by CID, Investigations Branch, or NCIS.

3. The preferred means of removing a child from the home is by court order. However, in cases of abandonment, severe abuse, or neglect where the child is in imminent danger of death or serious bodily harm and time is of the essence, a MP/police officer shall, in compliance with state and federal law, remove the child from the home for purposes of protective custody. The assistance of child welfare authority officers should be sought, if available in a timely manner. Parental permission should be sought but is not required in order to remove the child under emergency circumstances.



Section 9300 - Patrol Officer's Response Procedures (Rape and Sexual Assault)

9301. Purpose. This section provides MPs/police officers with response procedures for responding to rapes and sexual assaults.

9302. Policy

1. Sexual assault is a serious crime that cannot be tolerated. As defined in reference (an) and for the purpose of this section, sexual assault includes rape, forcible sodomy, indecent assault, and attempts to commit these offenses.

2. The Marine Corps' goal is to eliminate sexual assaults committed by Marines and to ensure those who are assaulted and those affected by assaults receive the assistance they need or a referral to an agency that can provide the required assistance.

3. Historically, sexual assault victims were sometimes considered partially responsible for the assault and were then re-victimized by being made to feel guilty and even being told that they "asked for it". To prevent victims of sexual assault from being re-victimized, it is Marine Corps policy that all personnel shall treat sexual assault victims with dignity and sensitivity. Victims will be protected through fair, conscientious, and unbiased treatment. Leaders must recognize that both genders can be sexual assault victims.

4. Effective response to sexual assault requires cooperative and coordinated efforts by multiple organizations and commands on, and sometimes off, Marine Corps installations. Furthermore, under certain circumstances, arrest/apprehension and criminal prosecution is preferred from a preventive standpoint. Therefore, all reports of sexual assault shall be thoroughly investigated to ensure appropriate action can be taken through references (c) and (d), and federal and state law.

9303. Definitions

1. Forcible Sodomy. The unnatural carnal copulation with another person of the same or opposite sex done by force and without the consent of the other person. Forcible sodomy is proscribed by Article 125 of reference (c).

2. Indecent Assault. Generally, an indecent assault is an assault of another person who is not the spouse of the offender, done with the intent to gratify the lust or sexual desires of

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the offender and is prejudice to the good order and discipline of the armed forces or of a nature to bring discredit upon the armed forces. Indecent assault is proscribed by Article 134 of reference (c).

3. Rape. An act of sexual intercourse by force and without consent of the victim. The charge of rape can apply to a victim of any age and against a spouse. Rape is proscribed by Article 120 of reference (c).

4. Sexual Assault. Intentional sexual contact, characterized by the use of force, physical threat or abuse of authority, or when the victim does not or cannot consent. Sexual assault includes rape, nonconsensual sodomy (oral or anal sex), indecent assault (unwanted, inappropriate sexual contact or fondling), or attempts to commit these acts. Sexual assault can occur without regard to gender or spousal relationship or age of victim.

a. "Consent" shall not be deemed or construed to mean the failure by the victim to offer physical resistance. Consent is not given when a person uses force, threat of force, coercion or when the victim is asleep, incapacitated, or unconscious.

b. Other sex-related offenses are defined as all other sexual acts or acts in violation of reference (c) that do not meet the above definition of sexual assault, or the definition of sexual harassment as promulgated in reference (bq).

5. Victim. A person, male or female, who has suffered direct physical or emotional harm as a result of the commission of a sexual assault offense committed in violation of reference (c), or in violation of the law of another jurisdiction if any portion of the investigation is conducted primarily by the DOD components, including military members and their family members; when stationed outside the continental United States, DOD civilian employees and contractors, and their family members. When a victim is under 18 years of age, incompetent, incapacitated, or deceased, the term includes one of the following (in order of precedence): a spouse, legal guardian, parent, child sibling, another family member, or another person designated by the court or the SJA to CMC, or designee. The term "victim" does not include an individual involved in the crime as a perpetrator or accomplice, even though the individual may be one of the representatives described previously.

6. Victim Advocate. The victim advocates in the Personal Services Directorate Family Service Center (FSC) and Family

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Advocacy Program (FAP) provide information, guidance and support to victims of domestic violence and sexual assault. Advocates are available 24 hours a day, 365 days a year to provide crisis intervention, safety planning, referrals to, and liaison with civilian resources, and support during medical exams and court proceedings. Victims are not required to use military victim advocates and may use victim advocates from civilian resources.

7. Victim and Witness Assistance Program (VWAP). A multi-disciplinary program to assist victims and witnesses of crime to ensure that the military criminal justice system affords crime victims and witnesses their rights, without infringing on the constitutional rights of an accused, to ensure they receive appropriate assistance. VWAP incorporates police personnel, criminal investigators, service providers, judge advocates, corrections personnel, and unit commanding officers, to assist victims and witnesses of crime through the criminal justice process.

8. Witness. As defined under VWAP, a witness is a person who has information or evidence about a crime, and provides that knowledge to a DOD component about an offense in the investigative jurisdiction of a DOD component. When the witness is a minor, that term includes a family member or legal guardian. The term does not include a defense witness or an individual involved in the crime as a perpetrator or accomplice.

#### 9304. Procedures

1. Due to the trauma of a sexual assault, victim's reactions can be very unpredictable. Behaviors can range from hysteria, crying and rage, to laughter, calmness, and unresponsiveness. There is no one typical reaction, so MPs/police officers must be prepared for a wide range of emotions and should treat all victims with dignity and respect.

#### 2. Dispatch/Communications Center Response

a. When a caller reports a sexual assault, communications personnel shall follow standard emergency response to include evaluating and properly prioritizing the call, securing medical assistance, inquiring about a suspect's current location, and obtaining detailed information to identify the suspect. Information about the relationship with the victim, weapon use, and history of violence shall also be obtained.

b. Dispatch/Communications Center personnel shall:

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(1) Ask whether the victim has bathed, douched, urinated, or made other physical changes, and advise against doing so.

(2) Ask the victim to use a clean jar to collect the urine, should the victim have to urinate.

(3) Let the victim know that other evidence may still be identified and recovered so the crime should still be reported even if the victim has bathed or made other physical changes.

(4) Preserve the communications tape and printout for the investigation.

(5) Explain to the caller that MPs/police officers are en route and that these questions will not delay an MP/police officer response to the caller's location.

(6) Dispatch a patrol unit and the Watch Commander to all sexual assault incidents.

(7) Immediately notify the duty criminal investigator of all sexual assaults.

(8) Notify the duty photographer, when requested by the duty criminal investigator.

(9) Notify the victim advocate and FSC. Leave a message for the FSC if an answering machine picks up the call.

(10) Make appropriate notifications per section 7200.

(11) If the initial investigation may require more than two hours, make a preliminary notification giving only known, verified information. Coordinate notifications with the CID or Investigations Branch duty criminal investigator.

### 3. Initial MP/Police Officer Response

a. Emergency Response. As part of the emergency response, MPs/police officers shall:

(1) Make contact with the victim as soon as possible to address safety concerns and summon emergency medical assistance, if needed.

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(2) Evaluate the scene for people, vehicles, or objects involved, as well as possible threats.

(3) Relay all vital information to responding MPs/police officers and supervisors, including any possible language barriers.

(4) Secure the crime scene to ensure that evidence is not lost, changed, or contaminated.

(5) Begin a search for the suspect, when appropriate.

b. Assisting the Victim. As part of the emergency response, MPs/police officers shall:

(1) Show understanding, patience, and respect for the victim's dignity, and attempt to establish trust and rapport.

(2) Inform the victim that a MP/police officer of the same sex will be provided, if desired and available.

(3) Contact a victim advocate as soon as possible to provide assistance throughout the reporting and investigative process.

(4) Supply victims of sexual assault with the local rape/sexual assault hotline number or the Rape, Abuse, and Incest National Network (RAINN) Hotline, 1-800-656-HOPE. Operators at this hotline connect the caller with the rape crisis center closest to the victim's location.

(5) Clearly explain the criminal investigators role and limit the preliminary interview so that the victim is not asked the same questions by a criminal investigator.

(6) Be aware that a victim of sexual assault may bond with the first responding MP/police officer. It is important to explain the role of the different members of the sexual assault response team and help with transitions through introductions.

(7) Record observations of the crime scene, including the demeanor of the suspect and victim, and document any injuries or disheveled clothing.

c. Sexual assault investigations typically include both a preliminary and subsequent in-depth interview with the victim. Responding MPs/police officers may conduct the initial

preliminary interview and criminal investigators normally conduct in-depth interviews. The preliminary interview is intended to establish whether a crime has occurred. In the initial response, the MP/police officer shall first establish the elements of crimes and identify any and all witnesses, suspects, evidence, and crime scenes. The MP/police officer must understand that the preliminary interview is not intended to be a comprehensive or final interview. Prior to conducting the preliminary interview, MPs/police officers shall obtain approval from the Dispatch/Communications Center or Watch Commander.

d. Victim Interview Protocol

(1) Based on the length of time between the assault and report of the crime and the individual's personal history, the victim may be in crisis and experiencing posttraumatic stress disorder or rape trauma syndrome and exhibiting a range of behaviors that will likely change over time.

(2) The victim's response to the trauma of a sexual assault is extremely unpredictable and shall not be used in any way to measure credibility. When drugs or alcohol are involved, the victim may have limited recollection or may be unable to give a complete account of the crime. Not knowing the details of what happened may exacerbate the trauma experienced by the victim.

(3) Interviews shall be conducted promptly if the victim is coherent and agrees to the interview.

(4) Prior to the initial interview, the MP/police officer shall:

(a) Interview any witnesses who might have seen or spoken with the victim before, during, or after the assault.

(b) Accommodate the victim's request for a rape crisis advocate or support person whenever possible.

(c) Take responsibility for excluding a support person, when appropriate, and offer the victim and support person an explanation.

(d) Secure a private location for the interview that is free from distractions.

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(e) Express sympathy to the victim and an interest in the victim's well-being.

(f) Inform the victim of the need and importance of full disclosure of any and all recent drug or alcohol use.

(5) During the initial interview, the MP/police officer shall:

(a) Obtain contact information for the victim, including temporary accommodations.

(b) Explain the nature of the preliminary interview and the need for follow-up contacts.

(c) Ask the victim to explain what they remember and how they felt.

(d) Revisit the possibility of a victim advocate for victims who initially declined the offer.

(e) Explain that other professionals such as forensic examiners, detectives, evidence technicians, and prosecutors may have additional questions.

(6) At the conclusion of the initial interview, the MP/police officer shall:

(a) Give the victim the duty criminal investigator's contact information.

(b) Encourage the victim to contact the investigator with any additional information or evidence.

(c) Remind the victim that visible evidence of injury may appear later, and to contact the investigators for additional photographs or other documentation.

(d) Ensure that requests for victim protection orders are made where indicated.

(e) Provide written referrals for victim service organizations.

(f) Provide transportation when reasonably possible.

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(g) Inform the victim about the next steps in the investigation.

e. Upon arrival of the duty criminal investigator, turn over all information and provide assistance as required.

f. Provide victims and witnesses with DD Form 2701, Initial Information for Victims and Witnesses of Crimes if necessary and not completed by the duty criminal investigator. Have the victim complete the Victim Preference Statement (see figure 9-1, page 9-18) if CID, Investigations Branch or NCIS have not assumed the investigation.

g. In cases resulting in apprehension of a military suspect, the command may issue a military protection order requiring the military member to stay away from the victim.

4. The Watch Commander shall:

a. Respond to all reported rapes/sexual assaults unless engaged in a more serious incident.

b. Ensure notifications per section 7200 are made.

c. Ensure victims and witnesses are provided with DD Form 2701, Initial Information for Victims and Witnesses of Crimes. If there is a sexual assault, ensure the victim completes the Victim Preference Statement (see figure 9-1 on page 9-18).

d. Ensure all MPs/police officers in their watch comply with this procedure.



Section 9400 - Patrol Officer's Response Procedures  
(Support of Critical Incident Management/NIMS)

9401. Purpose. This section provides MPs/police officers with response procedures for support of critical incident management and NIMS.

9402. Policy

1. The NIMS provides a consistent, flexible, and adjustable national framework within which government and private entities at all levels can work together to manage domestic incidents, regardless of their cause, size, location, or complexity. The NIMS integrates existing best practices into a consistent, nationwide approach to domestic incident management that is applicable at all jurisdictional levels and across functional disciplines in an all-hazards context. Standardized organizational structures such as the ICS, multi-agency coordination systems, and public information systems are established, as well as requirements for processes, procedures, and systems designed to improve interoperability among jurisdictions and disciplines in various areas.

2. As discussed in section 3000, police personnel at all levels must understand the provisions of the NIMS and ICS, and their meanings, in order to efficiently and effectively manage response to incidents, work with other first/emergency responders, make appropriate notifications, and support the installation commander.

3. In an incident support/response scenario, MP/police patrol units provide the initial response to contain critical incidents. All elements of PMO/MCPD will work within their core competencies to respond to the incident and to ensure that the installation commander remains aware of the common operating picture at the incident site. Likewise, all information shall be shared, via the chain of command represented in sections 3100 and 3200, with the command element through the installation Operations Directorate (S-3, G-3, or Operations and Training), to ensure that the incident response forces at the site have a clear picture of the overall situation (as relevant to their mission oriented needs). See sections 3000 through 3300 for more details.

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a. For incidents aboard Marine Corps installations, these procedures should be codified in local directives, but typically, for non-criminal, safety related (fire, medical response, water searches) incidents the Fire Department may be the IC; for hazard material spills, the Environmental Directorate may be the IC; and for criminal incidents, PMOs/MCPDs may be the IC. Additionally, as incidents develop, the IC may change. If no decision is made when MPs/police officers arrive on scene, or it is unclear as to what organization should be in charge, PMO/MCPD will be the IC until a decision is made to the contrary.

b. Patrol units will respond to and manage incidents with other staff elements aboard the installation, and organizations from off the installation, if required, until relieved by someone senior in the PMO/MCPD chain of command per sections 3200 and 3300. The IC is responsible for notifications to the AC or EOC, however, the senior MP/police officer in the ICP is responsible for notifying the police representative in the AC or EOC.

3. For patrol response, police supervision or IC will be as follows:

a. First MP/police officer to arrive is responsible for notifying the Dispatch/Communications Center and performs the role of MP/police supervisor or IC as appropriate.

b. Upon the arrival of a second or follow on MP(s)/police officer(s), the senior MP/police officer should be the police supervisor or IC as appropriate.

c. Upon arrival of the Watch Commander, Operations Chief, Operations Officer, he/she becomes the IC or senior MP/police officer, unless another organization is designated as IC.

4. The senior responding MP/police officer (typically the Watch Commander, patrol supervisor, or similarly qualified MP/police officer) will oversee the actions at the scene until properly relieved by a designated organizational representative who will serve as the IC. The IC is responsible for:

a. Containing the incident by establishing an inner-perimeter.

b. Establishing an ICP and activation of the ICS.

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c. Isolating the incident by establishing an outer perimeter.

d. Collecting and disseminating information and intelligence.

e. Initiating basic communications with the suspects and establishing negotiations if required. See section 13900.

f. Directing available forces for the tactical resolution of the incident if required.

g. Maintaining a detailed record of actions at the scene.

h. Serving as the single point of contact for all actions relating to or in support of the incident.

i. Notification up the chain of command, based on local directives/procedures.

j. Until properly relieved, all police activities.

5. Once someone in the PMO/MCPD chain of command senior to the Watch Commander assumes responsibility as the senior MP/police officer or IC, the person assuming responsibility becomes responsible for all site police activities, overall command if designated IC, and notification up the chain of command. The procedures for notifications should be per section 7200 and as promulgated in local directives.

6. Notifications. Notification procedures should be designated per section 7200 with initial notification being made by the Dispatch/Communications Center per a notification matrix. Upon activation of an ICP, the ICP should assume responsibility for notification. The PMO/MCPD chain of command may make additional notifications as appropriate/ required.

7. The responsibility for the incident site will not be relinquished to a non-Marine Corps agency without approval of the PM/PC or installation commander.

8. Once an ICP has been established, the PM/PC, Operations Officer/Deputy Chief for Operations will be the approval authority for disestablishing an ICP when MPs/police officers are designated as IC.

## Section 9500 - Patrol Officer's Crime Scene Preservation

9501. Purpose. This section provides MPs/police officers with guidelines for crime scene response, and to document, collect, package, and preserve evidence.

9502. Policy. Documentation, collection, and preservation of evidence are crucial steps in criminal investigation and often provide the basis for effective identification, documentation, prosecution, and conviction of suspects. MPs/police officers, as first responders to crimes, play critical roles in preserving crime scenes pending the arrival of CID, Investigations Branch, or NCIS.

### 9503. Definitions

1. Crime Scene. The location(s) at which a crime has been committed and/or where evidence of a crime is located or presumed to be located, and the site(s) of accidents and suspicious incidents where foul play or wrongful action could be involved.

2. Testimonial Evidence. Evidence collected through interviews or interrogation.

3. Real or Physical Evidence. Any material in either gross or trace quantities collected at a crime scene for examination and analysis.

### 9504. Procedures

#### 1. MP/Police Officer Initial Response at a Crime Scene

a. The first responding MP/police officer or senior MP/police officer at the crime scene shall ensure that the following tasks are performed in the following order:

(1) Make a careful and limited walk-around of the crime scene first to secure the location from suspects and any potential contamination.

(2) Identify a path of entry and retrace that path when exiting.

(3) Thoroughly assess the crime scene for hazards, to include blood-borne pathogens, explosives, firearms, gasoline,

natural gas, chemicals, and other toxic substances. Relay any information on dangerous situations to communications.

(4) Take all measures reasonably possible not to disturb potential sources of evidence, such as footprints or tire marks, or cross contaminate potential sources of DNA evidence.

b. Assess the overall extent and severity of the incident; note the location of evidence in plain view and the location of weapons in particular. Assist the injured, call for medical assistance if required, and request other appropriate police backup such as a supervisor, criminal investigator, or evidence technician.

c. Where injured or ill persons are encountered, make a direct approach to the victim, assess their condition, request medical assistance, and provide emergency first aid, if feasible. Where dead bodies are encountered, do not touch or move the body, unless there is risk of losing evidence due to a fire or other situation. Only a medical doctor may declare someone is dead. Request assistance from emergency medical services and notify a criminal investigator. Retrace the path of entrance when exiting the crime scene, and document the original position of the victim(s).

d. Attempt to secure a "dying declaration" if there is a chance a victim may die.

e. Create a log to record the identities of any persons (including emergency medical technicians or other emergency service responders) who enter the crime scene. All persons, irrespective of rank, who enter the crime scene must receive approval of the MP/police officer in charge and log in.

f. Direct emergency service providers into the crime scene, ensuring that they do not contaminate any evidence. Remind medical technicians to preserve items of clothing. Record all activities and the individual's condition and position when found. Instruct medical personnel not to alter the scene beyond what is required for life-saving efforts or to clean it up.

g. If a victim or suspect is transported to a medical facility, send a MP/police officer for security, to document any comments, and to preserve clothing and related evidence.

h. Secure and separate suspects, victims, and witnesses. Take steps to prevent the movement of family, friends, or

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bystanders into the crime scene by securing a perimeter, if it hasn't already been done. To secure the perimeter:

(1) Ensure the area is expansive enough to reasonably ensure that evidence of the crime will be contained and protected and identify points of entry and exit.

(2) Protect the crime scene using physical barriers (e.g., crime scene tape, rope, cones, vehicles, and personnel) or existing boundaries (e.g., doors and gates) as appropriate, and ensure that only persons with a need and right to enter the scene are permitted inside.

(3) Take appropriate steps to protect the crime scene from degradation due to weather conditions, such as rain, snow, or wind, or the intrusion of other devices, such as vehicles.

(4) Keep persons other than those directly involved in the investigation and other essential first responders outside the crime scene perimeter. Keep any pets or other animals outside the perimeter as well.

i. If injured or ill persons, firearms, or other items at the scene must be touched for safety or related reasons, put on latex or other nonporous gloves. Ensure that persons do not smoke, chew tobacco, use the telephone or bathroom at the scene, eat, drink, move any items, adjust windows, doors, or thermostats, reposition anything, or discard items.

j. The scope of crime scene processing is dictated by the seriousness of the crime and complexity of the crime scene. For crimes that do not require the assistance of a crime scene technician or criminal investigator, CID, Investigations Branch, or NCIS is not responding, or where exigent circumstances demand that immediate steps be taken to preserve evidence, first responders should be prepared to do the following:

(1) Locate and preserve items of evidence. Photograph, videotape, and/or sketch the crime scene to include measurements, where warranted and possible. Use color photographs where warranted. Diagrams should be accurately drawn, but need not be to scale.

(2) Photograph, collect and preserve evidence in plain view. Transport and submit evidence for storage or for laboratory examination.

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(3) Brief arriving supervisors and/or criminal investigators if summoned to the crime scene and provide the supervisor with any other pertinent information.

(4) Prepare the initial IR unless otherwise directed by a Watch Commander, supervisor, or criminal investigator. Record, at a minimum, information on the time of arrival, appearance and conditions upon arrival, any items at the scene that are known to have been moved, modified, or touched; personal information on witnesses, victims, suspects, and any statements or comments made; and actions taken by yourself or others at the scene.

k. Be aware of persons and vehicles in the vicinity. Record vehicle license plate numbers in close proximity to the crime scene and, where possible and appropriate, videotape or photograph same.

2. Releasing the Crime Scene, if Appropriate. Conduct a debriefing of members of the crime scene team to share information and identify priorities for follow-up investigation if required.

a. Review evidence collected, discuss preliminary findings, and identify potential forensic tests and any actions needed to complete the crime scene investigation. Complete overall measurements and photographs of the crime scene.

b. Conduct a final walk-through of the crime scene to determine if any items of evidentiary value have been overlooked and to double check for equipment or materials that may have been left behind.

c. Determine the time/date when the crime scene can be released.

d. Ensure crime scene remains properly sealed off until it is released.

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## Section 9600 - Conducting Field Interviews

9601. Purpose. This section establishes procedures for MPs/police officers when conducting field interviews.

9602. Policy. The field interview is an important point of contact for MPs/police officers in preventing and investigating criminal activity. Even when conducted with respect for involved citizens and in strict compliance with regulations and the law, the field interview can be perceived by some as police harassment, intimidation or discrimination. In order to maintain the effectiveness and legitimacy of this practice and to protect the safety of MPs/police officers, field interviews will be conducted in compliance with procedures set forth in this section.

9603. Definitions

1. Field Interview. The brief detainment of an individual, whether on foot or in a vehicle, based on reasonable suspicion, for the purposes of determining the individual's identity and resolving the MP's/police officer's suspicions concerning criminal activity.

9604. Procedures

1. Justification for Conducting a Field Interview. MPs/police officers may stop individuals for the purpose of conducting a field interview only where reasonable suspicion is present. Reasonable suspicion must be more than a hunch or feeling, but need not meet the test for probable cause sufficient to make an apprehension/detention. In justifying the stop, the MP/police officer must be able to point to specific facts that, when taken together with rational inferences, reasonably warrant the stop. Such facts include, but are not limited to, the following:

a. The appearance or demeanor of an individual suggests that he or she is part of a criminal enterprise or is engaged in a criminal act.

b. The actions of a person suggest that he or she is engaged in a criminal activity.

c. The hour of day or night is inappropriate for a person's presence in the area.



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d. The person's presence in a neighborhood or location is inappropriate.

e. The person is carrying a suspicious object.

f. The suspect's clothing bulges in a manner that suggests he or she is carrying a weapon.

g. The suspect is located in proximate time and place to an alleged crime.

h. The officer has knowledge of the suspect's prior criminal record or involvement in criminal activity.

i. The individual flees at the sight of a MP/police officer.

2. Procedures for Initiating a Field Interview. Based on observance of suspicious circumstances or upon information from an investigation, a MP/police officer may initiate the stop of a person if he has reasonable suspicion to do so. The following guidelines shall be followed when making an authorized stop to conduct a field interview:

a. When approaching a person, the MP/police officer shall clearly identify himself as a MP/police officer, if not in uniform, by announcing his identity and displaying departmental identification.

b. MPs/police officers shall be courteous at all times during the contact but maintain caution and vigilance for furtive movements to retrieve weapons, conceal or discard contraband, or other suspicious actions.

c. Before approaching more than one person, individual MPs/police officers should determine whether the circumstances warrant a request for backup assistance and whether the contact can and should be delayed until such assistance arrives.

d. MPs/police officers shall confine their questions to those concerning the person's identity, place of residence, and other inquiries necessary to resolve the MP's/police officer's suspicions. In no instance shall a MP/police officer detain a person longer than is reasonably necessary to make these limited inquiries to resolve suspicions.

e. MPs/police officers are not required to give suspects Article 31 or Miranda warnings in order to conduct field interviews unless the person is in custody and about to be interrogated. It is important for MPs/police officers to understand that if during the field interview the individual being questioned says or does something that leads the MP/police officer to believe the individual committed a crime, the MP/police officer must provide the Article 31 or Miranda warning before proceeding with questioning.

f. Persons are not required, nor can they be compelled, to answer any questions posed during field interviews. Failure to respond to a MP's/police officer's inquiries is not, in and of itself, sufficient grounds to make an apprehension/detention although it may provide sufficient justification for additional observation and investigation.

g. The MP/police officer will complete and turn in a field interview form (OPNAV 5580/21). To protect MPs/police officers from harassment allegations, it is imperative that the form include detailed information regarding the questions and answers, the location, the amount of time the interview took, and any information that may indicate a complaint is forthcoming.

### 3. Field Interviews for Juveniles

a. Follow justifications for conducting a field interview in paragraph 9604.1 above.

b. Follow procedures in paragraph 9604.2 above.

c. Parent notification and/or approval are not required.

d. Write the parent or guardian's name, address and phone number on field interview form (OPNAV 5580/21).

Section 9700 - Conducting Formal Interviews, Interrogations,  
and Taking Statements for Patrol Officers

9701. Purpose. This section establishes guidelines for MPs/police officers when conducting formal interviews, interrogations, and taking statements when assigned to patrol.

9702. Policy

1. MPs/police officers assigned to patrol are the first responders. MPs/police officers will often conduct initial investigations unless the offense is a felony. MPs/police officers will normally conduct formal interviews, take statements, and conduct interrogations for misdemeanor/minor offenses since felony/major offenses will be referred to the CID, Investigations Branch, and/or NCIS.

2. Custodial interrogations of suspects and the statements and confessions that are elicited are vitally important in the preparation of criminal cases. However, to be admissible as evidence, statements and confessions must be given freely and voluntarily and with due consideration for the suspect's right to silence and right to counsel. Section 2100 covers these rights and provides detailed procedures.

9703. Definitions

1. Custody. A custodial situation exists when a MP/police officer tells a suspect that he is under apprehension or detention. A functionally equivalent situation exists when a "reasonable person" in the suspect's position would feel that his freedom of action has been restricted to the same degree as a formal apprehension/detention.

2. Interrogation. Interrogation includes direct questioning of a suspect about a crime or suspected crime, as well as any words, statements or actions by MPs/police officers that the MPs/police officers should know are reasonably likely to elicit an incriminating response from the suspect.

3. Interview. An interview is used to obtain information from a suspect, witness, or victim. Interviews can be conducted in a formal police station setting, or they can be conducted on the street or at someone's home. An interview turns into an interrogation once someone is taken into custody or there is suspicion that they have committed an offense.

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4. Formal Interview. A formal interview is used to obtain information from a suspect, witness, or victim in a formal police station setting. A formal interview turns into an interrogation once someone is taken into custody or there is suspicion that they have committed an offense.

9704. Procedures

1. For serious or felony offenses, MPs/police officers shall secure the scene, render first aid, and wait for CID, Investigations Branch, or NCIS unless instructed to take designated actions by the Watch Commander/patrol supervisor.

2. Taking Statements and Conducting Formal Interviews. For offenses when CID, Investigations Branch, or NCIS do not assume investigative jurisdiction, usually minor or misdemeanor, MPs/police officers will normally take statements, conduct formal interviews and interrogations.

a. At a minimum, major or felony offenses include the following:

(1) Homicide, suicide, suspicious death, or felonies involving firearms.

(2) All sex offenses.

(3) Robbery.

(4) Arson or suspicious fires.

(5) Burglary - residential or commercial (when suspect is in custody). If no suspect is in custody, then it shall be the discretion of the Watch Commander and duty CID or Investigations Branch investigator.

(6) Violent crime, when injuries to victim(s) occur.

(7) Child abuse or neglect.

b. Taking Statements. MPs/police officers will conduct interviews after arriving on scene to determine the facts of the situation, incident, or crime. MPs/police officers must follow the guidance contained in section 2100 when dealing with suspects. During an interview, MPs/police officers should have the interviewee verbally explain what occurred and then give the interviewee appropriate guidance on writing the statement. This

guidance is important because many people do not have experience in writing statements. Simply handing a statement form to someone and asking him/her to complete it is inadequate. However, the MP/police officer must not influence the person providing the statement about the information contained therein; he/she must only ensure that the statement is logical and complete. Upon completion of the statement, the MP/police officer shall review it and ask follow-up questions to obtain a full understanding and to ensure the written statement properly reflects the details of the incident. MPs/police officers shall, at a minimum, give the following guidance on writing statements (OPNAV 5580/2, OPNAV 5580/3 and OPNAV 5580/4).

(1) Write in chronological order.

(2) Include who, what, when, where, why.

c. Formal Interviews. In some situations, due to the seriousness of the incident, location of the incident, weather, ages and cooperativeness, etc., MPs/police officers shall transport suspects, witnesses, and/or victims to the PMO/MCPD station to conduct formal interviews. In a formal interview, suspect statements shall be taken in accordance with procedures in section 2100. The same rules for taking statements apply to formal interviews.

### 3. Interrogations

a. Interrogations shall be conducted at the PMO/MCPD station.

b. In an interrogation, statements (OPNAV 5580/3 and OPNAV 5580/4) shall be taken in accordance with procedures in section 2100. The circumstances surrounding the conduct of interrogations and recording of confessions shall be fully documented. This includes, but is not necessarily limited to, the following:

(1) Location, date, time of day and duration of interrogation.

(2) The identities of officers or others present.

(3) Miranda or Article 31b rights warnings given, suspect responses and waivers provided, if any.

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(4) The nature and duration of breaks in questioning to provide the suspect food, drink, use of lavatories or other purposes.

c. MPs/police officers are encouraged to use video and audio taping, if available, for purposes of recording statements and confessions in an overt or covert manner, consistent with law.

d. The Watch Commander, patrol supervisor, or other authority should decide in which cases audio or video recordings may be appropriate and whether covert or overt procedures should be used.

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## Section 9800 - Pursuits (Foot)

9801. Purpose. This section establishes a balance between protecting the safety of the public and MPs/police officers during pursuits on foot.

9802. Policy. Foot pursuits are potentially dangerous police actions. MP/police officer and public safety shall be the overriding consideration in determining whether a foot pursuit will be initiated or continued. Foot pursuits occur in a wide variety of circumstances. Therefore, this section provides guidance to MPs/police officers in deciding if such pursuits should be initiated/continued and the procedures for conducting those pursuits.

9803. Definitions

1. Foot Pursuit. An incident where a MP/police officer chases (on foot) a person who is evading detention or apprehension.

9804. Procedures

1. Deciding Whether to Pursue. Although it is a MP/police officer's decision to initiate a stop, it is the suspect or violator who decides to precipitate a foot pursuit by fleeing. A MP/police decision to pursue on foot shall be made with an awareness of and appreciation for the risk to which the individual MP/police officer and others will be exposed. No MP/police officer or supervisor shall be disciplined for a decision not to engage in a foot pursuit if, in the individual MP's/police officer's assessment, the risk exceeded what was reasonably acceptable under the provisions of this and related local policy and training.

a. Where necessary, a MP/police officer may pursue persons who he or she reasonably believes have committed an act that would warrant a stop, investigative detention, or arrest.

b. In deciding whether or not to initiate a pursuit, a MP/police officer shall consider the following alternatives to foot pursuit:

- (1) Containment of the area.
- (2) Canine search.
- (3) Saturation of the area with patrol personnel.

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(4) Apprehension at another time and place when the MP/police officer knows the identity of the subject or has information that would allow for later apprehension.

c. In deciding whether to initiate or continue a foot pursuit, MPs/police officers shall consider the following risk factors:

(1) Availability of backup units and other MPs/police officers to assist in chase.

(2) Familiarity with the area.

(3) Hostile environment, such as a known area with a high concentration of crime.

(4) Suspect is known to be or suspected of being armed.

(5) Pursuing more than one person.

(6) Not in adequate physical condition to conduct a foot pursuit.

(7) Inability to establish or maintain contact with the Dispatch/Communications Center.

(8) Inclement weather, darkness, or reduced visibility conditions.

## 2. Initiating MP/Police Officer Responsibilities

a. MPs/police officers initiating foot pursuits maintain tactical responsibility for the foot pursuit unless circumstances dictate otherwise or until relieved by a supervisor. Pursuing MPs/police officers are reminded that voice transmissions while running and in other field tactical situations may be difficult to understand and often have to be repeated.

b. The MP/police officer initiating a foot pursuit shall, as soon as practical, provide the following information to the Dispatch/Communications Center:

(1) Unit identifier.

(2) Reason for the foot pursuit.



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(3) Location and direction of pursuit.

(4) Number of suspects and description.

(5) Whether or not the suspect(s) is armed.

### 3. Foot Pursuit Coordination

a. The primary (initiating) MP/police officer shall immediately coordinate, directly or indirectly through the Dispatch/Communications Center, with secondary MPs/police officers to establish a perimeter in the area to contain the suspect(s).

b. Generally, the primary MP/police officer shall not try to overtake the fleeing suspect but shall keep him/her in sight until sufficient manpower is available to take him into custody.

c. Assisting MPs/police officers shall immediately attempt to contain the pursued suspect. MPs/police officers shall not respond to the primary MP's/police officer's location unless the suspect has been stopped and the primary MP/police officer requests assistance to take the suspect into custody.

d. When two or more MPs/police officers are in pursuit, they shall not separate unless they remain in sight of each other and maintain communication. They shall coordinate their efforts such that the lead MP/police officer focuses on the suspect's actions while the second MP/police officer provides backup and maintains communications with the Dispatch/Communications Center and other assisting MPs/police officers.

### 4. Foot Pursuit Guidelines and Restrictions

a. The pursuing MP/police officer shall terminate a pursuit if so instructed by a supervisor.

b. Unless there are exigent circumstances such as an immediate threat to the safety of other MPs/police officers or civilians, MPs/police officers shall not engage in or continue a foot pursuit under the following conditions:

(1) If the individual MP/police officer believes the danger to pursuing MPs/police officers or the public outweighs the necessity for immediate apprehension.

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(2) If the MP/police officer becomes aware of any unanticipated circumstances that substantially increases the risk to public safety inherent in the pursuit.

(3) While acting alone. If exigent circumstances warrant, the lone MP/police officer shall keep the suspect in sight from a safe distance and coordinate containment.

(4) Into buildings, structures, confined spaces, or into wooded or otherwise isolated areas without sufficient backup and containment of the area. The primary MP/police officer shall stand by, radio his or her location, and await the arrival of other MPs/police officers to establish a containment perimeter. At this point, the incident shall be considered a barricaded or otherwise noncompliant suspect, and law enforcement executives/supervisors officers shall consider using specialized units such as SRT, crisis response team, aerial support, or MWD/CPWD.

(5) If the MP/police officer loses possession of his firearm or side handle baton.

(6) If the suspect's identity is established or other information exists that allows for the suspect's probable apprehension at a later time and there is no immediate threat to the public or MPs/police officers.

(7) If the suspect's location is no longer known.

(8) If primary MPs/police officers lose communications with the Dispatch/ Communications Center or backup MPs/police officers is interrupted.

(9) If a MP/police officer or third party is injured during the pursuit and requires medical assistance, and there are no other police or medical personnel able to render assistance.

(10) If the MP/police officer is unsure of his or her own location or direction of travel.

c. When the pursuing MP/police officer terminates the pursuit, he/she shall notify dispatch with his/her location and request any assistance deemed necessary.

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5. Watch Commander's Responsibilities. Upon becoming aware of a foot pursuit, the Watch Commander shall decide as soon as possible whether pursuit should continue.

a. The Watch Commander should allow the foot pursuit to continue if the pursuit does not violate provisions of this or related local policy, procedures, or training, and one of the following occurs:

(1) There are at least two MPs/police officers working in tandem and there is a reasonable belief that the suspect has committed an act that would permit the MPs/police officers to detain or apprehend the suspect.

(2) There is a reasonable belief that the suspect poses an immediate threat to the safety of the public or other MPs/police officers.

b. The Watch Commander shall terminate a foot pursuit at any time he or she concludes that the danger to pursuing MPs/police officers or the public outweighs the necessity for immediate apprehension of the suspect.

c. The Watch Commander shall take command and control and coordinate the foot pursuit as soon as possible.

d. As in any tactical incident, the Watch Commander does not have to be physically present to assert control over the situation.

e. Once the foot pursuit has concluded, the Watch Commander shall proceed to the ending location of the pursuit to assess the situation and control it as needed.

6. Dispatch/Communications Center Responsibilities

a. Upon being notified that a foot pursuit is in progress, Dispatch/Communications Center personnel shall immediately notify the Watch Commander or a supervisor and provide all available information.

b. Dispatch/Communications Center personnel shall carry out the following responsibilities during a foot pursuit:

(1) Receive, record, and make notifications of incoming information on the pursuit, the MPs/police officers involved, and the suspect.

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(2) Control all radio communications and clear the radio channels of all non-emergency traffic.

(3) Coordinate and dispatch backup assistance and air support units (if available) under the direction of the Watch Commander or supervisor.

7. Pursuit Review. Depending on the outcome of the pursuit, a pursuit review will be conducted in compliance with the processes for administrative investigations outlined in reference (bd). LE executives at each installation are responsible for compliance to the investigative policies, and reporting requirements outlined therein, and in other applicable orders (including, but not limited to Serious Incident Reporting procedures as outlined in reference (be)).

## Chapter 10

### Operations Traffic, Inspections, and Vehicle Procedures

#### Section 10000 - Citations and Warnings

10001. Purpose. This section provides guidelines for MPs/police officers when writing and issuing citations and warnings.

#### 10002. Policy

1. The writing of citations and warnings shall be performed professionally and courteously, for the purpose of promoting proper driving procedures and preventing dangerous behavior, while recognizing and taking steps to minimize the dangers for MPs/police officers, motorists and other users of installation roadway, and other thoroughfares within assigned patrol zones, for which MPs/police officers have the authority and jurisdiction to stop motorists. Section 10300 addresses traffic stops.

#### 2. PMOs/MCPDs Use Two Types of Traffic Citations

a. The DD Form 1408 (Armed Forces Traffic Citation), which is adjudicated by the installation Traffic Court.

b. The DD Form 1805, replaced by CVB Form 1805, (United States District Court Violation Notice) is a citation that initiates a petty offense case in U.S. District Court. CVB Form 1805 cannot be issued to minors.

#### 10003. Procedures

1. MPs/police officers shall issue two types of citations using the following procedures:

a. DD Form 1408 is issued for violation of installation and state traffic laws to active duty military personnel, reservists on active duty, military dependents, civilian employees, and military retirees.

b. CVB Form 1805 it is a multi-part ticket designed to provide legal notice to the defendant and to provide the court and the agency (e.g. PMO/MCPD) with necessary information for processing. The notices are printed on carbonized paper and pre-numbered for accountability. Per reference (af), CVB Form

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1805 will be used to refer violations of state traffic laws made applicable to the base by reference (g) and other violations of federal law to the U.S. Magistrate.

c. MPs/police officers are afforded significant discretion on whether to issue written citations, written warnings, or verbal warnings. CVB Form 1805 will not be used for warnings.

(1) MPs/police officers may use their discretion to issue a verbal or written warning in lieu of a written citation.

(2) MPs/police officers may annotate multiple violations on DD Form 1408, but must annotate multiple violations on separate citations when using CVB Form 1805.

(3) DD Form 1408 and CVB Form 1805 will identify the state traffic code, United States Code, or Base Regulation violation.

d. Moving Violations and Improper Vehicle Documentation

(1) DD Form 1408 will be issued to active duty military personnel, reservists on active duty, military dependents, civilian employees, and military retirees.

(2) CVB Form 1805 instead of DD Form 1408 may be issued to military reservists and all civilians including military dependents, civilian employees, retired military personnel (only for personnel 18 years old or older) for the following offenses:

- (a) No valid driver's license.
- (b) No no-fault insurance.
- (c) Fraudulent use of driver's license.
- (d) Driving while license suspended or revoked.
- (e) Reckless driving.
- (f) Driving under the influence of intoxicating liquor.
- (g) Driving under the influence of drugs.
- (h) Speeding (15 mph or greater over the speed limit).

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(i) Resisting an order to stop a motor vehicle.

e. Parking Violations

(1) DD Form 1408 is used for all parking violations.

(2) DD Form 1408s are used for all handicapped parking violations. Handicapped parking violations require an installation Traffic Court appearance. MPs/police officers will annotate "mandatory court" on the citation. Subsequent violations or failure to appear at the installation Traffic Court may result in a letter of debarment.

(3) Illegal parking in the commanding general or installation commander parking spaces may result in a 30 day driving suspension letter and a traffic citation.

f. Other Violations. DD Form 1408 will not be used for violations other than traffic or parking violations. CVB Form 1805 may be used for the following violations (only if the violator is 18 years old or older):

(1) Under age drinking.

(2) Resisting arrest.

(3) Trespassing.

g. Administrative Procedures

(1) Ensure the traffic court information stamp is neatly stamped on the pink copy of DD Form 1408 and explain the applicable instructions to the violator.

(2) Ensure the Central Violation Bureau's address is neatly stamped on the ivory card stock copy of CVB Form 1805 and explain in detail the applicable instructions for mailing or requesting a court appearance to the violator.

(3) Conduct traffic stops in accordance with section 10300.

(4) Issue DD Form 1408 per the following:

(a) Issue the violator the pink copy.

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(b) Submit the white (original) copy to the Traffic Court Clerk or equivalent.

(c) Maintain the yellow copy for your personal records.

(5) Issue CVB Form 1805 per the following.

(a) Issue the fourth (ivory card stock) copy to the violator at the time of issuance or upon arrest, or, if not present, mail to the defendant. The ivory copy, in addition to apprising the defendant of the charges against him/her, is an envelope for mailing the forfeiture of collateral payment to the Central Violation Bureau. The back of this copy should be stamped with the servicing Central Violation Bureau address; the Traffic Court Clerk maintains a stamp for this purpose.

(b) Return the remaining copies to the PMO/MCPD Traffic Court Clerk. The Traffic Court Clerk will mail two copies to the Clerk, U.S. District Court Central Violations Bureau and file the third (pink) copy at the PMO/MCPD as a record of the violation.

2. The PMO/MCPD Traffic Court Clerk shall:

a. Ensure all DD Forms 1408 and 1805 are correct prior to filing or submission to external units.

b. Issue all suspension and letters of debarment for moving and parking violations.

c. Forward a written notice or copy of the ticket through command channels to the service member's commander for all DD Forms 1408 issued.

d. Monitor traffic citation issuance.

3. Voiding Citations

a. Only the PM/PC, Deputy PM, Deputy Chiefs of Police, Installation Traffic Magistrate, and the PMO/MCPD Traffic Court Clerk are authorized to void DD Form 1408s.

b. When extenuating circumstances dictate the need to void a DD Form 1408 once it has been written or partially written, state the precise reason on the back of the citation.



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c. Only the Special Assistant to the U.S. Attorney (SAUSA) is authorized to void CVB Form 1805s.

4. Traffic Safety Monitors. Traffic Safety Monitors may be appointed by the PM/PC for commands to enforce traffic regulations in their assigned areas. The Traffic Court Clerk shall train each individual and issue, upon completion of training, one book of DD Form 1408s. Traffic Safety Monitors, after issuing a DD form 1408, will turn-in the ticket to the Traffic Court Clerk. Traffic Safety Monitors will be issued another book of tickets after completing all the tickets in their book.

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## Section 10100 - Traffic Direction and Control

10101. Purpose. This section establishes guidelines for MPs/police officers when conducting traffic direction and control.

10102. Policy. Roadway obstructions, malfunctioning traffic control devices, special events, and other occurrences often restrict the normal flow of traffic. In such cases, it may be necessary to institute temporary measures for the safety of emergency personnel, possible victims, and the general public; the expeditious and efficient management of a scene; and the maintenance and/or restoration of an unobstructed flow of traffic. PMOs/MCPDs provide for the orderly flow of traffic by assisting in planning for special events, making recommendations to correct conditions that restrict the flow of traffic, and providing manual traffic direction when circumstances dictate.

10103. Procedures1. Traffic Direction or Control

a. Traffic direction or control may be required in various situations including, but not limited to the following:

- (1) Traffic crash scenes.
- (2) Fire scenes.
- (3) Adverse weather conditions.
- (4) Damaged or malfunctioning traffic control devices.
- (5) Special events.
- (6) Man-made or natural disasters.
- (7) Other events that adversely affect the orderly flow of traffic.

b. Upon the discovery or notification of conditions necessitating manual traffic direction or control, a MP/police officer shall:

- (1) Notify the Dispatch/Communications Center and request assistance, if needed.

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(2) Ensure that appropriate agencies, departments or officials are notified.

(3) Ensure appropriate safety precautions are taken before directing/controlling traffic.

(4) Provide traffic direction or control.

(5) Take other action appropriate to restore the normal, orderly flow of traffic.

c. Emergency equipment on patrol cars, traffic cones, fuses, and other temporary traffic control devices may be used in situations requiring the manual direction or control of traffic. The MP/police officer in charge of the scene will direct the placement and removal of such signs or devices. The high visibility traffic vest will be worn at all times when a MP/police officer is directing or controlling traffic on the roadway.

d. Before initiating traffic direction or control, MPs/police officers should consider such variables as traffic volume and speed, the number of pedestrians present, anticipated duration of the congestion period, and the presence or absence of traffic control devices. Manual traffic control should not be used when the use of a traffic control device will alleviate the problem.

e. Bystanders and their vehicles should not be allowed to interfere with emergency operations or the flow of traffic.

f. Emergency services personnel should be encouraged not to interfere with emergency operations or unnecessarily disrupt the flow of traffic with their vehicles or operations. When traffic is adversely affected, MPs/police officers will take reasonable steps to protect the scene. Conflicts with emergency services personnel should be presented to the Watch Commander or a patrol supervisor, who will relay the information to the Operations Officer. If necessary, the Operations Officer or PM/PC will meet and confer with the affected emergency services director to resolve such conflicts.

g. Manual operation of traffic signal lights and similar automated devices will normally be confined to emergency situations, major traffic congestion, special events, or specific sites where PMO/MCPD has responsibility for the operation of those devices.

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## 2. Prevention of Traffic Problems

a. MPs/police officers shall cooperate and assist the installation Facilities Maintenance Department in identifying traffic control device problems and notification of the problem through the Operations Division chain of command.

b. For special events needing traffic direction or control, the MP/police officer in charge will analyze traffic control needs, in conjunction with local authorities, including the following:

- (1) Ingress and egress of vehicles and pedestrians.
- (2) Parking.
- (3) Crowd control.
- (4) Public transportation.
- (5) Assignment of personnel to specific locations.
- (6) Relief of personnel assigned to traffic direction/control duties.
- (7) Temporary traffic control and parking restrictions.
- (8) Emergency vehicle access.
- (9) Communications.

c. Potentially hazardous parking situations that require corrective action by another organization should be provided to the Support Services Officer through the Operations Division chain of command. The Support Services Officer will verify the existence of the hazardous parking situations and ensure the proper organization is notified in a timely manner.

## 3. Procedures for the Manual Direction of Traffic

a. MPs/police officers shall comply with the following procedures when directing traffic:

- (1) Position themselves and any traffic control devices in a location that is clearly visible.

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(2) In the interest of MP/police officer and public safety, MPs/police officers may not routinely park a police vehicle upon a roadway simply to protect a disabled vehicle or other property. However, a MP/police officer may park upon a roadway behind a disabled vehicle for the purpose of placing flares or other warning devices, or to assist drivers or passengers in exiting the vehicle. MPs/police officers may also park on a roadway to protect victims or warn other motorists of roadway obstructions or hazards. Any time a patrol vehicle is parked on a roadway, the emergency lights shall be activated. The patrol vehicle shall be removed as soon as practical from the roadway.

(3) Be attentive to traffic and maintain an alert and balanced stance.

b. MPs/police officers shall use the following uniform signals for traffic direction:

(1) Stopping Traffic Flow

(a) Point and look directly at the driver that is to stop until eye contact is made.

(b) Raise one hand with palm toward the driver until he stops. MPs/police officers may point with his other hand to the exact location the driver is to stop.

(c) When stopping vehicles on open, high speed highways, MPs/police officers should face the traffic to be stopped and extend both hands above their heads.

(2) Starting and Maintaining Traffic Flow

(a) Point at the driver being directed to start and make eye contact.

(b) Rotate the hand up and over the chin bending the arm at the elbow.

(3) Turns

(a) Turns will be allowed when they can be accomplished safely.

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(b) Turns will be directed by pointing at the driver until eye contact is made, then pointing in the direction of the turn.

(4) Whistles may be used to supplement hand signals as follows:

(a) One long blast signals motorists to stop.

(b) Two short blasts signal motorists to proceed.

(5) Flashlight signals during darkness or times of reduced visibility are as follows:

(a) When directing traffic during times of reduced visibility, MPs/police officers should be extra cautious. The emergency lights and fuses should be utilized to warn approaching motorists of the MP's/police officer's presence. Also, MPs/police officers should be aware that being back lit by bright lights may reduce the ability of approaching motorists to see them.

(b) The red or clear flashlight baton should be used to enhance signals given with a flashlight.

(c) The beam of the flashlight may be aimed at and across the pavement in front of approaching cars as a signal to stop.

(d) The beam may be rapidly flashed in the direction of the approaching vehicle to get the driver's attention.

(e) The beam should be moved along the roadway in a small come-along arc to indicate the path on which the vehicle should proceed.

(6) Minor variations of the uniform signals used for traffic direction may be made to facilitate the flow of traffic in unusual situations.

#### 4. Traffic Control by Private Citizens

a. In exigent circumstances, MPs/police officers may allow or request private citizens to provide assistance with traffic direction or control to safeguard lives or property.

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b. MPs/police officers who allow or request assistance from private citizens should take necessary reasonable measures to protect the safety of such citizens.

c. If a private citizen does provide traffic direction assistance, MPs/police officers will initially monitor and frequently check up to ensure the private citizen is capable and safe.

## Section 10200 - Transporting Subjects

10201. Purpose. This section provides guidelines for transporting persons in the custody of MPs/police officers between points of apprehension/detention and processing at PMO/MCPD.

10202. Policy. Transporting prisoners is potentially dangerous. Therefore, when transporting prisoners take the precautions necessary to protect the lives and safety of MPs/police officers, the public, and the people in custody.

### 10203. Procedures

1. Vehicle Inspection. At the beginning and end of each tour of duty, all vehicles regularly used for prisoner transport shall be inspected for readiness as follows:

a. The safety screen shall be securely in place and undamaged.

b. All windows shall be intact and outer door latches in proper working order. Rear-seat door handles and window controls shall be deactivated.

c. The interior shall be thoroughly searched to ensure that no weapons or contraband have been left behind or hidden within the vehicle. Prior to placing a prisoner in the vehicle for transport, the transporting MP/police officer shall inspect the interior for weapons or contraband. The vehicle shall be searched again after the prisoner has been delivered to the detention facility or other destination.

### 2. Handcuffing/Use of Restraints

a. MPs/police officers shall handcuff (double-locked) all prisoners with their hands behind their back and palms facing outward.

b. The MP/police officer may handcuff the prisoner with his/her hands in front, or use other appropriate and approved restraining device(s) when the prisoner is/has one of the following:

(1) An obvious state of pregnancy.

(2) A physical handicap.



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(3) Injuries that could be aggravated by standard handcuffing procedures.

c. Females shall be subject to the same handcuffing and restraint policy as males unless in an obvious state of pregnancy or otherwise exempted by this section.

d. MPs/police officers may use discretion in handcuffing young juveniles, but shall use authorized restraints necessary to control unruly or potentially violent juveniles of any age.

e. Prisoners shall not be handcuffed to any part of the vehicle during transport.

f. Additional approved restraint devices may be used to secure a prisoner who violently resists arrest or who manifests mental disorders such that he/she poses a threat to himself, MPs/police officers, or to the public.

g. MPs/police officers are prohibited from transporting prisoners who are restrained in a prone position.

### 3. Transport

a. Prior to transport, all prisoners shall be thoroughly searched for any weapons or contraband.

(1) A protective search should be conducted by a MP/police officer of the same sex as the prisoner. Where this is not practical, MPs/police officers shall strictly adhere to the policy on searching prisoners of the opposite sex.

(2) The transporting MP/police officer should search the prisoner regardless of searches that may or may not have been conducted by apprehending/detaining MPs/police officers.

b. Unless accompanied by a female MP/police officer, male MPs/police officers should not normally transport females in custody.

c. Females shall not be handcuffed to male arrestees and should normally be separated during transport.

d. Juveniles shall not be transported in the same area of a vehicle with adult prisoners.

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e. Special precautions shall be employed when transporting high-risk prisoners. In particular:

(1) Waist chains should be employed in addition to handcuffs.

(2) Rival gang members should not be transported together.

f. Prior to initiating the transport, the MP/police officer shall provide the Dispatch/Communications Center with the following information.

(1) Apprehension/detention location and destination of transport.

(2) Time and mileage readings before and after transport.

g. The MP/police officer should use care when assisting a prisoner into the vehicle for transport.

h. Prisoners shall be transported in a manner that allows for constant visual observation. Seating of MPs/police officers and prisoners should conform to the following:

(1) Where the vehicle has a security screen but only one transporting MP/police officer, the prisoner shall be placed in the back seat on the right-hand side of the vehicle.

(2) When the vehicle is not equipped with a security screen and has only one transporting MP/police officer, the prisoner shall be placed in the right front seat.

(3) When a prisoner is being transported in a two-officer vehicle without a security screen, the prisoner shall be placed in the right rear seat. The second MP/police officer shall sit in the left rear seat behind the driver.

(4) Leg restraints shall be used when a MP/police officer believes the prisoner has a potential for violent behavior.

(5) One transporting MP/police officer should not attempt to transport more than one prisoner in a vehicle without a security barrier, but should request transport assistance.

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(6) All prisoners shall be secured in the vehicle by proper use of a seat belt.

i. The physical well-being of prisoners shall be monitored during transit. Particular attention shall be directed to persons reported or suspected of being under the influence of drugs and/or alcohol or who have a history or propensity for violence.

(1) Prisoners who display or inform MPs/police officers/criminal investigators of symptoms of serious illness during transit shall be taken to the nearest emergency room for treatment.

(2) Escorting MPs/police officers/criminal investigators shall remain with the patient at all times unless relieved by other authorized personnel.

j. Potentially violent persons in custody shall be restrained at all times in the treatment facility unless such restraint would interfere with essential treatment.

k. Symptoms or notification of physical or mental illness (such as threats of suicide or psychotic behavior) shall be reported by the MP/police officer making the apprehension/detention. Any wheelchairs, crutches, prosthetic devices, and medication should be transported with, but not in the possession of, the prisoner.

l. Prisoners shall not be left unattended during transport.

m. MPs/police officers shall not engage in enforcement activities while transporting prisoners unless failure to act would risk death or serious bodily injury to another. In non-life-threatening yet serious situations, MPs/police officers should call for back-up assistance and may remain on-hand until such assistance has arrived.

n. Immediate notification of any escape shall be made to the Dispatch/Communications Center with a complete description of the fugitive, mode and direction of travel, crime, and propensity for violence, if known.

o. Transporting MPs/police officers shall complete and turn in a NAVMC 11130 (6-83) Statement of Force/Use of Detention Space (1630).

## 10300 - Traffic Stops

10301. Purpose. This section establishes guidelines for the safety of MPs/police officers and motorists when stopping and approaching motor vehicles.

10302. Policy. Motor vehicle stops shall be performed professionally and courteously for the purpose of promoting proper driving procedures and preventing dangerous behavior, while recognizing and taking steps to minimize the dangers for MPs/police officers, motorists and other users of installation roadway, and other thoroughfares within assigned patrol zones, for which MPs/police officers have the authority and jurisdiction to stop motorists.

10303. Definitions

1. Reasonable Suspicion. In the present context, the totality of the circumstances in each incident or situation that provides a MP/police officer with a particularized and objective basis for suspecting legal wrongdoing. The process allows MPs/police officers to draw on their own experience and specialized training to make inferences from and deductions about the cumulative information available to them. Reasonable suspicion is more than a hunch or feeling that a MP/police officer might have about an individual or circumstances. It is based on specific facts that, when taken together with rational inferences, reasonably warrant the vehicle stop.

2. Unknown Risk Stops. It is generally recognized that all motor vehicle stops involve risk. There is no such thing as a "routine" or "low risk" traffic stop. Traffic stops which are not known to be high risk stops are identified as unknown risk. These stops are potentially dangerous because MPs/police officers do not know who they are stopping, or circumstances/illegal activities which may have occurred, unbeknownst to the officer, prior to the stop. MPs/police officers must maintain tactical awareness, and apply officer safety measures when conducting unknown risk stops.

3. High Risk Stops. Also referred to as a "felony stop," high risk stops are conducted when MPs/police officers are responding to a report of a felony, and may be the result of a suspect's attempt to flee the scene of a crime. Unknown risk stops may also become high risk stops if a check for wants and warrants conducted by the Dispatch/Communications Center yields results that the suspect is wanted in connection with a felony crime.

10304. Procedures

1. Legal Basis for Stopping Motor Vehicles

a. The Fourth Amendment to the U.S. Constitution provides legal justification to MPs/police officers for stopping a motor vehicle. Without such justification, evidence of illegal activity discovered during the course of a stop may be inadmissible in court.

b. MPs/police officers are prohibited from stopping vehicles under the guise of legal authority when in fact the stop is based solely on the MP's/police officer's prejudice concerning a person's race, ethnicity, gender, or similar distinction

c. A motor vehicle may be stopped only for a period of time that is reasonable to issue a citation or conduct other legitimate police business.

d. MPs/police officers should avoid apprehensions and detentions solely for minor vehicle infractions even if permitted by law when a citation in lieu of custody is a reasonable alternative.

2. Stopping and Approaching Traffic Violators (Unknown Risk Stops). The following procedures are to be followed whenever possible. Varying conditions such as roadway construction, volume of traffic, and the urgency of making vehicle stops may require MPs/police officers to adjust these procedures to particular conditions.

a. Once an initial decision has been made to stop a motorist, the MP/police officer shall select an area that provides reasonable safety, avoiding curves, hills, heavily trafficked and poorly lit areas and roads without shoulders. When possible, the MP/police officer shall also avoid the use of private drives, business locations and areas where a large volume of spectators are likely to gather.

b. When a location has been selected for the stop, the MP/police officer shall notify the Dispatch/Communications Center of its nature-providing unit location and reason for stop, a description of the vehicle, vehicle tag number and the number of occupants prior to approaching the vehicle. At the MP's/police officer's discretion or dispatcher's request, additional information may be exchanged. The acronym "LOCAL"

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may be used to assist officers in communicating information to the dispatcher:

- (1) L - State and number of license plate
- (2) O - Number of occupants
- (3) C - Color of vehicle
- (4) A - Automobile type
- (5) L - Location and reason of stop

c. At the desired location, the MP/police officer should signal the operator to stop at the far right side of the roadway or at the safest shoulder by activating the overhead emergency lights and siren as necessary.

(1) On multi-lane roads, the MP/police officer may facilitate movement to the right shoulder by gradually changing lanes behind the violator until the right side of the roadway is reached.

(2) Should the violator stop abruptly in the wrong lane or location, the MP/police officer should instruct him to move by using the appropriate hand signals or by activating the vehicle's public address system.

d. Once properly stopped, the MP/police officer should position the police vehicle about 20-30 feet behind the violator's vehicle and at a slight angle, with the front approximately two feet to the traffic side of the violator's vehicle. Police vehicles may be offset three feet to the left or right, depending on environmental conditions (shoulder width, traffic flow, weather, etc.). Any offset position should offer a buffer or safety zone for the officer from traffic and/or the suspect vehicle. Front wheels should be turned sharply to the left, to facilitate maneuver of the police vehicle into the traffic lane, as needed.

e. At night, the spotlight should not be used to direct the violator but may be used to illuminate the vehicle's interior once stopped. The police vehicle should use its low beams if high beams would blind oncoming motorists.

f. When exiting the police vehicle, the MP/police officer should be particularly alert to suspicious movements or actions

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of the vehicle operator or passengers. Care should be taken in exiting the police vehicle due to traffic. Exit the police vehicle, but do not slam the door shut. This may give away the MP's/police officer's position. MPs/police officers should then face the police vehicle in order to reduce the body target area.

g. Approaching from the driver's side, the MP/police officer should be observant of the passenger compartment, check to ensure the trunk of the vehicle is closed, and stop at a point to the rear of the trailing edge of the left front door in order to communicate with the driver.

(1) Where circumstances dictate, particularly where traffic is close enough to create a potential problem, the MP/police officer may choose to approach the violator's vehicle from the right-hand side and stop at the trailing edge of the right front door.

(2) When the violator's vehicle has occupants in the rear seat, the MP/police officer should approach to a point near the leading edge of the left front door, being particularly observant of occupant movements and choosing a path that will not allow the occupants to thrust the door open against the MP/police officer.

(3) In two-patrol officer police vehicles, one of the two MPs/police officers shall be responsible for radio communications, note taking and relaying messages to the Dispatch/Communications Center. He will also act as an observer and cover for his fellow MP/police officer.

(4) A MP/police officer may order passengers out of the vehicle pending completion of the stop.

h. Prior to requesting license, registration, and proof of insurance, MP/police officer should ask where these things are located to prevent the individual from making an unexpected movement (i.e. reaching into the glove box or under the seat).

i. Non-uniformed MPs/police officers operating unmarked police vehicles with concealed emergency lights and siren shall not normally make vehicle stops for traffic violations. In situations where failure to act would create unreasonable risks of injury, death or significant property damage, such personnel shall contact the Dispatch/Communications Center to request a marked police unit to make the stop. Depending upon the urgency

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of the situation, a MP/police officer may activate emergency lights and siren to make a traffic stop.

j. Non-uniformed MPs/police officers operating vehicles not equipped with emergency lights or siren shall not make motor vehicle stops unless there is imminent danger of loss of life should they fail to act. In other less urgent cases that demand attention, MPs/police officers shall contact the Dispatch/Communications Center, request that a marked police vehicle perform the stop, and assist in directing the marked unit to the subject vehicle's location.

3. Stopping an Approaching Vehicle. In cases where a motorist must be stopped from oncoming traffic, the following actions may be taken:

a. Drive the police vehicle to the extreme right portion of the roadway and, as the violator approaches, signal him to stop by using hand signals and emergency lights.

b. Because of the potential hazard involved, a MP/police officer shall not leave his vehicle when attempting to stop oncoming motorists.

c. If the subject motorist complies with the instructions, the police vehicle may then be turned around and appropriately positioned to the rear of the violator's vehicle. Should the motorist fail to comply with the MP/police officer's instructions, the MP/police officer should turn the vehicle around and pursue, stop and approach the violator in the prescribed manner.

4. Stopping a Following Vehicle. When stopping a motorist to the rear of the police vehicle, the MP/police officer should drive to the right shoulder of the road, reduce speed, allow the violator to pass and then conduct a stop in accordance with the procedures outlined above.

5. Making High-Risk Vehicle Stops. The following procedures may be employed when a MP/police officer initiating a vehicle stop has reason to believe that the occupants may be armed and dangerous:

a. When planning to stop the suspect vehicle, the MP/police officer shall notify the Dispatch/Communications Center; describe the nature or reason for the stop, provide information



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on the vehicle, tag number and number of occupants, and request appropriate assistance to make the stop.

b. A MP/police officer should not individually initiate high-risk vehicle stops unless back-up units will not be available or the urgency of the situation demands immediate action.

c. After selecting an appropriate location and with adequate support units in position, the MP/police officer should signal the suspect to stop.

d. MPs/police officers should position their vehicles approximately 20-30 feet behind the suspect vehicle, in positions that will maximize opportunities for cover, minimize the possibility of cross fire, and in a manner that will illuminate the interior of the vehicle to the occupants' disadvantage.

e. The MP/police officer initiating the stop, or the MP/police officer with the best observation point, should issue verbal commands to vehicle occupants through the vehicle's public address system, if available. Only one MP/police officer shall issue commands.

f. Once the suspect vehicle has stopped, MPs/police officers should exit their vehicles quickly and assume positions of cover.

g. The MP/police officer in charge shall first identify himself and then notify the occupants that they are suspected of being involved in a serious offense, that all occupants of the vehicle are being taken into custody, and that all instructions are to be followed without hesitation or suspicious movements.

h. The operator of the suspect vehicle should be ordered in separate commands to do the following: lower his window, remove the ignition keys with his left hand, drop them on the ground, open the door from the outside, step out of the vehicle, raise his/her hands above the head, turn completely around, face away from the MPs/police officers, walk backward until commanded to stop and lie face down on the ground with hands stretched far to the sides, palms facing upward. Subsequent occupants should be similarly commanded until all are in position to be handcuffed and searched. Other tactical decisions may be more appropriate in controlling the subject(s); the aforementioned is merely an example of one way to tactically control the subject(s), placing

MP/police officer safety at the paramount. The contact MP/police officer should assess the tactical situation, and control the subject keeping the principles of defensive tactics, and the current use of force policy in mind (chapter 6 applies).

i. With appropriate cover, MPs/police officers should then approach the suspect vehicle to inspect the passenger compartment and trunk.

6. Stopping Oversize and Overweight Vehicles. In the event a MP/police officer needs to stop commercial and similar oversize or overweight vehicles, the following procedures should be followed:

a. Select a location for the stop that provides enough room for the vehicle and sufficient stability to support the vehicle's weight, and allow the operator sufficient time and distance to make the stop.

b. Approach the cab from the rear, using the driver's outside mirror to observe the driver and activity in the cab.

c. Never climb onto the vehicle to make contact with the operator. Maintain a position to the rear of the driver's door and ask him to exit the vehicle, if and when necessary.

7. Motorcycles. Motorcycles, riders and passengers can pose additional threats to MPs/police officers. Additional steps should be taken to ensure officer safety.

a. Instruct violator(s) to get off his/her motorcycle on the right side.

b. Have violator(s) and passenger(s) remove and leave helmets near motorcycle(s). Whether or not someone is wearing a helmet, it can be used as a weapon.

c. Maintain a position near the police car (right front area) and have violator(s) walk back to the vehicle.

d. Be observant for hidden weapons:

(1) In handlebars.

(2) In saddle bags.

(3) Under seat(s).

8. Communication During Traffic Stops. Most people form their perceptions of the police based on brief encounters with MPs/police officers during stops for traffic violations. Therefore, MPs/police officers should adopt a customer service and educational approach when dealing with otherwise law-abiding members of the public who have violated traffic laws. This approach includes the following measures:

a. Introduce yourself and the PMO/MCPD that you work for. Request the driver provide his/her driver's license, vehicle registration, proof of insurance, and military ID (if applicable). Once these documents are obtained, specify the reason for making the vehicle stop.

b. Be courteous and respectful.

c. Use command presence as compared to an aggressive or condescending approach, tone of voice, or facial expressions.

d. Provide the violator with any information deemed appropriate to educate rather than lecture them about the infraction.

e. Be positive and friendly but not familiar and avoid the use of language that provokes guilt, hostility, fear, or intimidation.

f. When dealing with motorists who become troublesome, uncooperative, or argumentative, maintain an "information mode" by using a calm, friendly, and assertive voice in which only information is provided.

9. Issuing Citations

a. When issuing citations (DD Forms 1805, or 1408 as applicable; see section 10000 for more details), conducting roadside sobriety tests or conversing with the violator, the MP/police officer and other parties shall be positioned to the side of the road, clear of the motor vehicles. At no time shall the MP/police officer or others stand in front of, between or behind the stopped vehicles.

b. MPs/police officers should not apprehend or detain operators of motor vehicles for traffic violations in which a citation is authorized unless special circumstances exist or there is probable cause to believe that a more serious offense has been or is about to be committed.

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c. During the stop, the violator should remain in his motor vehicle while the MP/police officer writes the citation or conducts other business. Violators should not be permitted to sit in police vehicles while citations are being prepared or other police business is being conducted.

d. When preparing citations, the MP/police officer should position paperwork and related materials in a manner that allow him to maintain watch over actions of the violator and other occupants.

10. Drunk driving, driving under the influence (DUI), driving while impaired/intoxicated (DWI). PMS/CPs shall establish local procedures for drunk drivers, DUI, and DWI incidents per reference (af) and local/state laws. Breath testing devices must be approved by the National Highway Traffic Safety Administration (NHTSA) per reference (af). Per the NHTSA, three standard field sobriety tests (FSTs) are Horizontal gaze nystagmus (HGN), walk and turn, and one-leg stand. Other FSTs may be used if authorized by state law.

Section 10400 - Pursuits (Vehicle)

10401. Purpose. This section establishes PMO/MCPD guidelines for vehicle pursuits.

10402. Policy

1. Pursuits of suspected or known violators of the law can expose innocent citizens, MPs/police officers, and the fleeing violators to the risk of serious injury or death. The primary purpose of this section is to provide MPs/police officers guidance in balancing the safety of the public and themselves against the duty to apprehend or detain violators of the law. Another purpose of this section is to reduce and minimize the potential for pursuit related accidents. Vehicular pursuits require MPs/police officers to exhibit a high degree of common sense and sound judgment. MPs/police officers must not forget that the immediate apprehension or detention of a suspect is generally not more important than the safety of innocent motorists and MPs/police officers.

2. Deciding whether to pursue a motor vehicle is a critical decision that must be made quickly and under difficult and unpredictable circumstances. In recognizing the potential risk to public safety created by vehicular pursuits, no MP/police officer or supervisor shall be disciplined for deciding not to engage in a vehicular pursuit because of the risks involved. This includes circumstances where this section would permit the initiation or continuation of the pursuit. Vehicular pursuit situations are not always predictable and decisions made pursuant to this section will be evaluated according to the totality of the circumstances reasonably available at the time of the pursuit.

3. MPs/police officers must remember that the most important factors to the successful conclusion of a pursuit are proper self-discipline and sound professional judgment. MP/police officer conduct during the course of a pursuit must be objectively reasonable; that is, what a reasonable person would/should do under the circumstances. An overriding desire to apprehend a fleeing suspect at all costs has no place in professional law enforcement.

10403. Definitions

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1. Vehicular Pursuit. An active attempt by a MP/police officer in an AEV to apprehend fleeing suspects who are attempting to avoid apprehension through evasive tactics.
2. Authorized Emergency Vehicle (AEV). A vehicle equipped with operable emergency equipment, as designated by applicable directives/laws.
3. Primary Unit. The patrol unit that initiates a pursuit or any unit that assumes control of the pursuit.
4. Secondary Unit. Any authorized patrol vehicle that becomes involved as a backup to the primary unit and follows the primary unit at a safe distance.
5. Failure to Yield. Refers to the actions of a vehicle operator who fails to stop or respond to the emergency light(s) and siren of a police vehicle. Generally, the vehicle operator continues to travel forward at or below the speed limit, observes applicable rules of the road, and does not change the direction of travel in an evasive manner.
6. Minor Traffic Violation. A minor traffic violation defined against the backdrop of the necessity for a pursuit shall include all traffic offenses except driving under the influence and reckless driving.

#### 10404. Procedures

##### 1. Pursuit

a. When a traffic stop is attempted and the subject, through evasive tactics, avoids apprehension, the decision to respond to the subject's tactics must be based on the MP's/police officer's conclusion that the immediate danger to the public created by the pursuit is less than the immediate or potential danger to the public should the suspect remain at large.

b. While making a determination to begin/call off a pursuit, MPs/police officers and Watch Commanders must consider whether the pursuit would be considered reasonable in light of the consequences of property damage, serious injury, or death.

c. MPs/police officers in marked patrol units may become involved in a vehicular pursuit when all of the following criteria are met:

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(1) The suspect exhibits the intention to avoid apprehension/detention by using a vehicle to flee for an alleged crime that would normally require a full custody apprehension or detention.

(2) The suspect, if not pursued, presents an imminent danger to human life or is likely to cause serious injury to others.

(3) When the immediate apprehension/detention of the suspect creates less risk or danger than the risk of danger created by the pursuit.

d. Unmarked patrol vehicles may only become involved in a vehicle pursuit if the pursuing MP/police officer can clearly articulate probable cause that the pursuit is a last resort to prevent the escape of a dangerous felon, who, if not captured would present a serious threat to the lives of others. The unmarked vehicle will terminate involvement in the pursuit when a marked vehicle arrives to take over the pursuit.

e. The pursuing MP/police officer shall consider the following factors in determining whether to initiate pursuit:

(1) The performance capabilities of the pursuit vehicle compared to the suspect vehicle.

(2) The condition of the road surface upon which the pursuit is being conducted.

(3) The amount of vehicular and pedestrian traffic in the area.

(4) Weather conditions.

(5) Personal driving ability and training.

(6) The perceived driving abilities of the pursued subject.

f. A MP/police officer will not become involved in a pursuit if the suspect is known to be a juvenile, unless it is known and can be supported that the juvenile presents a significant danger to human life if allowed to flee.

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g. Pursuit to apprehend a subject based solely on the subject's failure to yield pursuant to an attempted traffic stop for a minor traffic violation is prohibited.

2. Pursuit MP/Police Officer Responsibilities

a. A MP/police officer who becomes involved in a pursuit shall immediately inform the Watch Commander of the reasons supporting the decision to become involved in a pursuit.

b. After receiving approval from the Watch Commander to pursue, the pursuing MP/police officer shall immediately notify the Dispatch/Communications Center that a pursuit is underway. The MP/police officer shall provide the Dispatch/Communications Center with the following information:

- (1) Unit identification.
- (2) Location, speed and direction of travel of the fleeing vehicle.
- (3) Type of vehicle being pursued (muscle car, compact, sedan, coupe, motorcycle).
- (4) Description and license plate number, if known, of the fleeing vehicle.
- (5) Number of occupants in the fleeing vehicle and descriptions, where possible.
- (6) The environment in which the chase is taking place (road and weather conditions).
- (7) The driving behavior of the pursued subject.
- (8) Reasons supporting the decision to pursue.

c. MPs/police officers must rely on what they know, not what they think or sense. Risks during a pursuit can only be justified by what is known.

d. Failure to provide the above information to the Dispatch/Communications Center may result in an immediate decision by the Watch Commander to order termination of the pursuit.



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e. The primary pursuit unit shall reduce the level of pursuit to that of support or backup unit when another vehicle has been assigned primary pursuit responsibility.

f. Any primary or backup unit sustaining damage, or the malfunction of essential vehicular equipment during pursuit, shall terminate the pursuit immediately. The unit shall notify the Dispatch/Communications Center so that another unit may be assigned to the pursuit.

g. The primary pursuit MP/police officer will complete a written statement as a supplement to the IR.

### 3. Secondary Unit's Responsibilities

a. Units will not respond as back-up or secondary units to a pursuit until directed to do so by the Watch Commander or Dispatch/Communications Center. The Watch Commander will make the decision to assign a secondary unit based on the location of the nearest unit to the pursuit.

b. The secondary unit will assume radio communications responsibility, allowing the primary unit to devote full attention to driving.

c. The secondary unit will maintain a safe distance behind the primary unit.

d. If the primary unit becomes disabled, the secondary unit will become the primary unit.

e. Complete a supplement report documenting participation in pursuit.

### 4. Dispatch/Communications Center Responsibilities

a. Upon notification that a pursuit is in progress, Dispatch/Communications Center personnel shall keep the Watch Commander advised on any additional information received.

b. Dispatch/Communications Center personnel shall carry out the following activities and responsibilities during the pursuit:

(1) Receive and record all incoming information on the pursuit and the pursued vehicle.

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(2) Control all radio communications and clear the radio channels of all non-emergency calls.

(3) Obtain criminal records and vehicle checks of the suspects.

(4) Coordinate and dispatch backup assistance under the direction of the Watch Commander.

(5) Notify available medical response units to be prepared to respond in case the pursuit results in an accident involving injuries.

(6) Notify neighboring jurisdictions when the pursuit may extend into their locality.

(7) Immediately preserve the dispatch tape, using proper evidence custody procedures, for after action analysis and administrative review.

5. Watch Commander's Responsibilities. In permitting a pursuit to progress, the Watch Commander shall conclude that the immediate danger to the public created by the pursuit is less than the immediate or potential danger to the public should the suspect being pursued remain at large. Such a decision must be based on information supplied by the pursuing officer, Dispatch/Communications Center, if applicable, and criteria outlined in this section.

a. Upon notification that a vehicular pursuit incident is in progress, the Watch Commander shall assume responsibility for the approval, monitoring and control of the pursuit.

b. The Watch Commander shall continuously review the incoming data to determine whether the pursuit should be continued or terminated.

c. In controlling the pursuit incident, the Watch Commander shall be responsible for coordination of the pursuit as follows:

(1) Directing pursuit vehicles into or out of the pursuit.

(2) Re-designation of primary, support or other backup vehicle responsibilities.